

REMARKS

In the Office Action, claims 7-9 and 11-13 are rejected under 35 U.S.C. § 103(a) as being obvious under U.S. Patent No. 5814575 (*Reagen*). Claim 10 is objected to as being dependent upon a rejected base claim but out be allowable if rewritten in independent form and including all the limitations of the base claim and any intervening claims. Applicants respond to each of these statements.

I. Allowable subject matter (Examiner's paragraph 4)

Applicants have confirmed with Examiner on January 23, 2008, that Examiner's Paragraph 4 should state that claim 10, not claim 11, is in a condition of allowance after performing the recommended amendment. Applicants thank Examiner for clarifying this position.

Applicants also thank Examiner for pointing out the modifications necessary to permit patentability for claim 10. Applicants have incorporated the contents of claim 10 into claim 9 to comply with the Examiner's recommendation and have cancelled claim 10. Applicants believe that the currently amended claim 9 is in a state of allowance.

II. 35 U.S.C. § 103(a) as being obvious by *Reagen* (Examiner's paragraph 3)

Applicants respectfully traverse Examiner's assertion of obviousness for claims 7-9 and 11-13 over *Reagen*.

Applicants assert that the currently amended form of independent claim 7 in view of *Reagen* does not render this claim obvious. The amended form of claim 7 incorporates the “ α -olefin product mixture” limitation of former claim 10. Examiner has stated that *Reagan* does not teach or reasonably suggest the oligomer percentage limitation; therefore, the incorporation of this limitation into claim 7 should render the claim non-obvious.

Applicants state that independent claim 7 is patentable in light of foregoing argument. Applicants respectfully request the Examiner withdraw the obviousness rejection for this independent claim and permit it to issue. Additionally, Applicants respectfully request the

Examiner withdraw the rejections of the claims that directly depend from this independent claim based upon the same argument and claim dependency (claims 8-9). Applicants also respectfully request the Examiner withdraw the rejections of the claims that depend from this independent claim as well as independent claim 9, previously discussed (claims 11-13).

In view of the above response, Applicants believe the pending application is in condition for allowance.

Please feel free to contact the agent/attorney listed below if you have any questions or concerns regarding this filing. The agent/attorney may be contacted at 979-238-3373 during normal working hours central time or any time via e-mail at jmsellers@dow.com.

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